

What was done with those six that fell in? A. They were taken to the house nearby and given dry clothes.

MR. WM. MCKEMMAN, being duly sworn, on examination says:

BY MR. MANN:

You hold what position? A. Guard with Major McIver. Did you accompany Captain Lashley from Spruce Pine to Marion? A. Yes, sir.

BY MR. BLOUNT:

What was the position of your squad in the march? A. Second squad.

Did you march in front or in the rear? A. In the rear.

Were your men compelled to pick their way or keep in column? A. I let them pick their way.

Did you walk the entire distance? A. Yes, sir.

Did you get your feet wet? A. No, sir.

Did you have any of your men to faint or fall on the way? A. No, sir; they did not seem tired.

Did you hear any guards cursing convicts? A. No, sir.

MR. H. T. PEOPLES, being duly sworn, on examination says:

BY MR. MANN:

What position do you hold? A. Guard.

Were you with Captain Lashley on the trip from Spruce Pine? A. Yes, sir.

How much did you walk? A. I walked some in the morning and some in the evening; I walked the last twelve miles.

Was that the worse part of the road? A. Yes, sir.

Did you walk across on the ice at Toe river? A. Yes, sir.